IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 3701 of 2007(N)

PETITIONER:

P.V.GEORGE, S/O. VARGHESE,
AGED 66 YEARS, KIZHAKKE PARAMADATHIL HOUSE,
PERUMPETTY P.O., PERUMPETTY VILLAGE,
MALLAPPALLY TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.PHILIP MATHEW

RESPONDENTS:

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1. DISTRICT COLLECTOR,
PATHANAMTHITTA.

2. REVENUE DIVISIONAL OFFICER,
THIRUVALLA, PATHANAMTHITTA DISTRICT.

3. TAHSILDAR,
MALLAPPALLY TALUK, MALLAPPALLY,
PATHANAMTHITTA DISTRICT.

BY ADV. SHRI.MOHAMMED RAFFIQ, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 3701/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE ASSESSMENT ORDER PASSED BY THE 3RD RESPONDENT ON 23/10/2002.

P2 : COPY OF THE OBJECTIONS FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT ON 13/01/2003.

P3 : COPY OF THE REPLY DATED 30/01/2003 SENT by the 3RD RESPONDENT TO THE PETITIONER.

P4 : COPY OF THE APPEAL FILED ORIGINALLY BEFORE THE 1ST RESPONDENT BY THE PETITONER.

P5 : COPY OF THE ORDER NO. A2.4054/03/K.DIS DATED 21/12/2004 PASSED BY THE 2ND RESPONDENT IN THE APPEAL.

P6 : COPY OF THE MEMORANDUM OF THE REVISION PETITION NO. R7-7270/05 UNDER SECTION 13 OF THE KERALA BUILDING TAX ACT, 1975 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

P7 : COPY OF THE TAX RECEIPT DATED 20/01/2005 FOR Rs. 4,000/- PAID BY THE PETITIONER.

P8 : COPY OF THE ORDER DISMISSING THE EXT.P6 REVISION PETITION BY THE 1ST RESPONDENT ON 06/05/2005.

P9 : COPY OF THE REMINDER SENT TO THE HON'BLE CHIEF MINISTER ON 09/12/2005 BY THE PETITIONER.

P10 : COPY OF THE ACKNOWLEDGEMENT NO. R7-23454/05 DATED 17/03/2006 ISSUED BY THE OFFICE OF THE 1ST RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 3701 of 2007

Dated, this the 30th day of May, 2007

J U D G M E N T

Since the dispute on plinth area is covered vide judgment of this Court in **S.Subhash Chandra Babu Vs. State of Kerala & Others** reported in 2006 (2) KLT 189, WP(C) is disposed of directing Tahsildar to go through the judgment and revise the assessment based on that judgment within a period of one month from now. Petitioner will produce copy of this judgment before the respondent for compliance. Impugned order passed will stand set aside for the purpose of revision of assessment as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg